



Rep. Joe Sosnowski

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09800SB1431ham001

LRB098 08718 OMW 46419 a

1 AMENDMENT TO SENATE BILL 1431

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1431 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Section 25-11 as follows:

6 (10 ILCS 5/25-11) (from Ch. 46, par. 25-11)

7 Sec. 25-11. When a vacancy occurs in any elective county  
8 office, forest preserve district office, or in a county of less  
9 than 3,000,000 population in the office of clerk of the circuit  
10 court, in a county which is not a home rule unit, the county  
11 board, forest preserve district board of commissioners, or  
12 board of county commissioners shall at their next meeting  
13 declare that such vacancy exists and notification thereof shall  
14 be given to the county central committee or the appropriate  
15 county board or board of county commissioners district  
16 committee of each established political party within 3 days of

1 the occurrence of the county board meeting where a vacancy was  
2 declared. The vacancy shall be filled within 60 days of the  
3 notification by appointment of the chairman of the county board  
4 or board of county commissioners with the advice and consent of  
5 the county board or board of county commissioners. In counties  
6 in which forest preserve district commissioners are elected by  
7 districts and are not also members of the county board,  
8 however, vacancies in the office of forest preserve district  
9 commissioner shall be filled within 60 days of the notification  
10 by appointment of the president of the forest preserve district  
11 board of commissioners with the advice and consent of the  
12 forest preserve district board of commissioners. In counties in  
13 which the forest preserve district president is not also a  
14 member of the county board, vacancies in the office of forest  
15 preserve district president shall be filled within 60 days of  
16 the notification by the forest preserve district board of  
17 commissioners by appointing one of the commissioners to serve  
18 as president. The appointee shall be a member of the same  
19 political party as the person he succeeds was at the time of  
20 his election and shall be otherwise eligible to serve. The  
21 appointee shall serve the remainder of the unexpired term.  
22 However, if more than 28 months remain in the term, the  
23 appointment shall be until the next general election at which  
24 time the vacated office shall be filled by election for the  
25 remainder of the term. In the case of a vacancy in a seat on a  
26 county board or board of county commissioners which has been

1 divided into districts under Section 2-3003 or 2-4006.5 of the  
2 Counties Code, the appointee must also be a resident of the  
3 county board or county commission district. If a county  
4 commissioner ceases to reside in the district that he or she  
5 represents, a vacancy in that office exists.

6 Except as otherwise provided by county ordinance or by law,  
7 in any county which is a home rule unit, vacancies in elective  
8 county offices, other than the office of chief executive  
9 officer, and vacancies in the office of clerk of the circuit  
10 court in a county of less than 3,000,000 population, shall be  
11 filled by the county board or board of county commissioners.

12 (Source: P.A. 92-189, eff. 8-1-01; 92-583, eff. 6-26-02.)

13 Section 10. The Public Officer Prohibited Activities Act is  
14 amended by changing Sections 1.2 and 2a as follows:

15 (50 ILCS 105/1.2)

16 Sec. 1.2. County board member; education office. A member  
17 of the county board in any ~~a~~ county ~~having fewer than 40,000~~  
18 ~~inhabitants~~, during the term of office for which he or she is  
19 elected, may also hold the office of member of the board of  
20 education, regional board of school trustees, board of school  
21 directors, board of a community college district, board of a  
22 fire protection district, or board of school inspectors.

23 (Source: P.A. 97-460, eff. 8-19-11.)

1 (50 ILCS 105/2a) (from Ch. 102, par. 2a)

2 Sec. 2a. Township supervisors and trustees. No township  
3 supervisor or trustee, during the term of office for which he  
4 or she is elected, may accept, be appointed to, or hold any  
5 office by the appointment of the board of township trustees  
6 unless he or she first resigns from the office of supervisor or  
7 trustee or unless the appointment is specifically authorized by  
8 law. A supervisor or trustee may, however, serve as a volunteer  
9 fireman and receive compensation for that service. A township  
10 supervisor or trustee may also serve on the zoning board of  
11 appeals for the county. Any appointment in violation of this  
12 Section is void. Nothing in this Act shall be construed to  
13 prohibit an elected township official from holding elected  
14 office in another unit of local government as long as there is  
15 no contractual relationship between the township and the other  
16 unit of local government. This amendatory Act of 1995 is  
17 declarative of existing law and is not a new enactment.

18 (Source: P.A. 89-89, eff. 6-30-95.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law."